



February 19, 2016

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## ENGROSSED HOUSE BILL No. 1347

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DIGEST OF HB 1347 (Updated February 17, 2016 3:01 pm - DI 104)

**Citations Affected:** IC 12-7; IC 12-15; IC 27-19.

**Synopsis:** Mental health matters. Requires the office of Medicaid policy and planning to reimburse under the Medicaid program: (1) certain advanced practice nurses for specified Medicaid services; (2) certain graduate and post-graduate degree level students in specified fields who are interning or in a practicum at a community mental health center under the direct supervision of a licensed professional; and (3) licensed clinical addiction counselors who under the clinical supervision of a physician or health service provider in psychology. Requires the department of insurance (department), in consultation with the office of the secretary of family and social services, to review, study, and make recommendations concerning the capacity, training, and barriers to health navigators in assisting individuals in obtaining health insurance program coverage. Requires the department to report their findings to the interim study committee on public health, behavioral health, and human services before September 30, 2016.

**Effective:** July 1, 2016.

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### Kirchhofer, Brown C, Zent, Porter

(SENATE SPONSORS — MILLER PATRICIA, CRIDER, MRVAN, STOOPS)

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January 12, 2016, read first time and referred to Committee on Public Health.

January 28, 2016, amended, reported — Do Pass.

February 1, 2016, read second time, ordered engrossed. Engrossed.

February 2, 2016, read third time, passed. Yeas 96, nays 0.

#### SENATE ACTION

February 8, 2016, read first time and referred to Committee on Health & Provider Services.

February 18, 2016, amended, reported favorably — Do Pass.

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EH 1347—LS 6951/DI 104





February 19, 2016

Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1347

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-7-2-3.1 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2016]: **Sec. 3.1. "Advanced practice nurse", for purposes of**
- 4 **IC 12-15-5-14, has the meaning set forth in IC 12-15-5-14(a).**
- 5 SECTION 2. IC 12-7-2-35, AS AMENDED BY P.L.53-2014,
- 6 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2016]: Sec. 35. "Committee" means the following:
- 8 (1) For purposes of IC 12-15-33, the meaning set forth in
- 9 IC 12-15-33-1.
- 10 (2) For purposes of IC 12-17.2-3.6, the meaning set forth in
- 11 IC 12-17.2-3.6-1.
- 12 (3) **For purposes of IC 12-21-4.5, the meaning set forth in**
- 13 **IC 12-21-4.5-1.**
- 14 SECTION 3. IC 12-7-2-134, AS AMENDED BY P.L.160-2012,
- 15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2016]: Sec. 134. "Office" means the following:
- 17 (1) Except as provided in subdivisions (2) through ~~(4)~~, **(7)**, the

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office of Medicaid policy and planning established by  
IC 12-8-6.5-1.

(2) For purposes of IC 12-10-13, the meaning set forth in  
IC 12-10-13-4.

**(3) For purposes of IC 12-15-5-14, the meaning set forth in  
IC 12-15-5-14(b).**

**(4) For purposes of IC 12-15-5-15, the meaning set forth in  
IC 12-15-5-15(b).**

**(5) For purposes of IC 12-15-5-16, the meaning set forth in  
IC 12-15-5-16(b).**

(6) For purposes of IC 12-15-13, the meaning set forth in  
IC 12-15-13-0.4.

**(7) For purposes of IC 12-17.6, the meaning set forth in  
IC 12-17.6-1-4.**

**SECTION 4. IC 12-15-5-14 IS ADDED TO THE INDIANA CODE  
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
1, 2016]: Sec. 14. (a) As used in this section, "advanced practice  
nurse" means:**

**(1) a nurse practitioner; or**

**(2) a clinical nurse specialist;**

**who is a registered nurse licensed under IC 25-23 and qualified to  
practice nursing in a specialty role based upon the additional  
knowledge and skill gained through a formal organized program  
of study and clinical experience, or the equivalent as determined by  
the Indiana state board of nursing.**

**(b) As used in this section, "office" includes the following:**

**(1) The office of the secretary of family and social services.**

**(2) A managed care organization that has contracted with the  
office of Medicaid policy and planning under this article.**

**(3) A person that has contracted with a managed care  
organization described in subdivision (2).**

**(c) The office shall reimburse eligible Medicaid claims for the  
following services provided by an advanced practice nurse  
employed by a community mental health center if the services are  
part of the advanced practice nurse's scope of practice:**

**(1) Mental health services.**

**(2) Behavioral health services.**

**(3) Substance use treatment.**

**(4) Primary care services.**

**(5) Evaluation and management services for inpatient or  
outpatient psychiatric treatment.**

**(6) Prescription drugs.**



**(d) This section:**

- (1) may not be construed to expand an advanced practice nurse's scope of practice; and**
- (2) applies only if the service is included in the advance practice nurse's practice agreement with a collaborating physician.**

SECTION 5. IC 12-15-5-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 15. (a) This section is effective upon approval by the federal government of the office's Medicaid state plan amendment to implement the requirements of this section. The office shall submit the Medicaid state plan amendment not later than December 1, 2016.**

**(b) As used in this section, "office" includes the following:**

- (1) The office of the secretary of family and social services.**
- (2) A managed care organization that has contracted with the office of Medicaid policy and planning under this article.**
- (3) A person that has contracted with a managed care organization described in subdivision (2).**

**(c) The office shall authorize Medicaid reimbursement for eligible Medicaid services provided by a student who:**

- (1) is currently enrolled in a graduate or postgraduate degree level:**

- (A) medical;**
- (B) nursing;**
- (C) mental health;**
- (D) behavioral health; or**
- (E) addiction treatment;**

**accredited college or university program;**

- (2) has been approved by the college or university to work as an intern or practicum student at a community mental health center under the direct supervision of a licensed professional who holds a master's degree or doctoral level degree related to the area of study; and**

- (3) the services being provided by the student are within the scope of practice of the supervising practitioner.**

**(d) Medicaid claims for eligible Medicaid services provided under this section must be submitted by the supervising practitioner. Only one (1) Medicaid claim may be submitted per episode of care.**

**(e) A community mental health center that allows intern and practicum students to provide services under this section shall have**



1 a policy and procedure for the intern and practicum students to  
 2 receive supervision and a method for documenting the supervision  
 3 provided.

4 SECTION 6. IC 12-15-5-16 IS ADDED TO THE INDIANA CODE  
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 6 1, 2016]: Sec. 16. (a) This section is effective upon approval by the  
 7 federal government of the office's Medicaid state plan amendment  
 8 to implement the requirements of this section. The office shall  
 9 submit the Medicaid state plan amendment not later than  
 10 December 1, 2016.

11 (b) As used in this section, "office" includes the following:

12 (1) The office of the secretary of family and social services.

13 (2) A managed care organization that has contracted with the  
 14 office of Medicaid policy and planning under this article.

15 (3) A person that has contracted with a managed care  
 16 organization described in subdivision (2).

17 (c) The office shall reimburse a clinical addiction counselor  
 18 licensed under IC 25-23.6 for an eligible Medicaid behavioral  
 19 health or addictions service that is within the counselor's scope of  
 20 practice if the clinical addiction counselor is under the clinical  
 21 supervision of a physician or health service provider in psychology.

22 SECTION 7. IC 27-19-4-4.5 IS ADDED TO THE INDIANA CODE  
 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 24 1, 2016]: Sec. 4.5. (a) The department shall, in consultation with the  
 25 office of the secretary of family and social services, review, study,  
 26 and make recommendations concerning the current capacity,  
 27 training, adequacy, and barriers to navigators who provide  
 28 assistance to individuals in applying for and obtaining public  
 29 health insurance program coverage.

30 (b) Before September 30, 2016, the department shall report, in  
 31 writing and in an electronic format under IC 5-14-6, the  
 32 department's findings under this section to the interim study  
 33 committee on public health, behavioral health, and human services  
 34 established by IC 2-5-1.3-4.

35 (c) This section expires December 31, 2016.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1347, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 5, delete "IC 21-15-5-14(b)." and insert "**IC 12-15-5-14(b).**".

Page 2, line 7, delete "IC 21-15-5-15(a)." and insert "**IC 12-15-5-15(a).**".

Page 2, line 30, delete "submitted" and insert "**provided**".

Page 2, between lines 38 and 39, begin a new line block indented and insert:

**"(6) Prescription drug services."**

Page 2, line 41, delete "services." and insert "**or substance abuse treatment services, if the supervision is in the advanced practice nurse's scope of practice, education, and training.**".

Page 3, line 19, delete "in" and insert "**as**".

Page 3, line 20, delete "internship program" and insert "**intern or practicum student**".

Page 3, line 21, delete "and is interning at the community mental health center".

Page 3, between lines 24 and 25, begin a new paragraph and insert:

**"(c) Medicaid claims for eligible Medicaid services provided under this section must:**

**(1) be submitted by the supervising practitioner; and**

**(2) include both the supervisor's and intern or practicum student's time.**

**Only one (1) Medicaid claim may be submitted per episode of care.**

**(d) A community mental health center that allows intern and practicum students to provide services under this section shall have a policy and procedure for the intern and practicum students to receive supervision and a method for documenting the supervision provided."**

Page 3, line 34, after "counselor" insert "**licensed under IC 25-23.6 for an eligible Medicaid behavioral health or addictions service that is within the counselor's scope of practice if the clinical addiction counselor is under the clinical supervision of a physician or health service provider in psychology.**".

Page 3, delete lines 35 through 40.



Page 6, line 32, delete "1, 2017," and insert "**30, 2016**,".

Page 6, line 37, delete "2017." and insert "**2016**,".

and when so amended that said bill do pass.

(Reference is to HB 1347 as introduced.)

KIRCHHOFFER

Committee Vote: yeas 12, nays 0.

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### COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1347, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 17, strike "(4)," and insert "**(7)**,".

Page 2, line 7, delete "IC 12-15-5-15(a)." and insert "**IC 12-15-5-15(b)**,".

Page 2, line 8, after "(5)" insert "**For purposes of IC 12-15-5-16, the meaning set forth in IC 12-15-5-16(b)**,".

**(6)**,".

Page 2, line 10, delete "(6)" and insert "**(7)**,".

Page 2, line 39, delete "drug services." and insert "**drugs**,".

Page 2, delete lines 40 through 42, begin a new paragraph and insert:

**"(d) This section:**

**(1) may not be construed to expand an advanced practice nurse's scope of practice; and**

**(2) applies only if the service is included in the advance practice nurse's practice agreement with a collaborating physician."**

Page 3, delete lines 1 through 2.

Page 3, line 5, after "(a)" insert "**This section is effective upon approval by the federal government of the office's Medicaid state plan amendment to implement the requirements of this section. The office shall submit the Medicaid state plan amendment not later than December 1, 2016.**

**(b)**,".

Page 3, line 12, delete "(b)" and insert "**(c)**,".





Page 3, line 14, delete "master's degree or doctoral" and insert **"graduate or postgraduate"**.

Page 3, line 21, delete "and".

Page 3, line 26, delete "." and insert **"; and**

**(3) the services being provided by the student are within the scope of practice of the supervising practitioner."**

Page 3, line 27, delete "(c)" and insert **"(d)"**.

Page 3, line 28, delete ":" and insert **"be submitted by the supervising practitioner."**

Page 3, delete lines 29 through 31.

Page 3, line 33, delete "(d)" and insert **"(e)"**.

Page 3, line 40, after "(a)" insert **"This section is effective upon approval by the federal government of the office's Medicaid state plan amendment to implement the requirements of this section. The office shall submit the Medicaid state plan amendment not later than December 1, 2016.**

**(b)"**.

Page 4, line 5, delete "(b)" and insert **"(c)"**.

Page 4, delete lines 10 through 42.

Delete page 5.

Page 6, delete lines 1 through 34.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1347 as printed January 29, 2016.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 9, Nays 0.

